

### **REMARKS/ARGUMENTS**

This paper responds to the office action dated March 10, 2006.

The Examiner objected to claims 67 and 76 as being substantial duplicates, and claims 63 and 64 as being substantial duplicates. Neither of the Examiner's objections is appropriate. Claim 63 claims, in part "producing said effect *at* said second browser in response to said synchronization command" while claim 76 claims, in part "producing said effect on *at least one of* said first and second web browsers" (emphasis added). Thus, dependent claim 76 is broader in scope than claim 67. Because the two claims have differing claim coverage (e.g., claim 76 would read on a method where the effect is produced at the web browser from which the synchronization command was sent while claim 67 would not), they are not considered substantial duplicates, as asserted by the Examiner. *See* MPEP § 706.03(k) (stating that a mere difference in claim scope precludes an objection to a claim as being a substantial duplicate of another). Similarly, claim 63 is both narrower than claim 64, in the sense that the claimed effect must be produced in a frame of a web browser, and broader than claim 64 in the sense that it lacks the latter's limitation that the effect be "produced in response to an input at a web browser specified by said location attribute."

The Examiner rejected claims 5-91 under 35 U.S.C. § 102(e) as being anticipated by Nakamura, U.S. Patent No. 6,938,212. The Examiner rejected claims 47-49 under 35 U.S.C. § 103(a) as being obvious in view of the combination of Fin, U.S. Patent No. 6,240,444 in view of Nakamura. Both rejections are improper, as Nakamura is not prior art to the present application. Nakamura has a U.S. filing date of October 31, 2001 which is a little over seven months *later* than the March 30, 2001 filing date of the present application. Although Nakamura claimed priority to a Japanese *national* patent application filed on November 2, 2000, the U.S. filing date under 35 U.S.C. § 102(e) does not relate back to the filing date of such foreign national applications; instead, only filing dates of *international* PCT applications, and only those which are published in English, are eligible as prior art under 35 U.S.C. § 102(e) as of the filing date of

Appl. No. 09/823,210  
Amdt. dated June 2, 2006  
Reply to Office Action of March 10, 2006

the international application. *See* MPEP 706.02(f)(1) I (stating that the foreign filing date of an application later filed in the US, and claiming priority to the foreign application under 35 U.S.C. § 119, “may *not* be used as 35 U.S.C. § 102(e) dates for prior art purposes”)(emphasis added). Therefore, the applicant respectfully requests that the Examiner’s prior art rejections of claims 47-91 be withdrawn.

In view of the foregoing amendments and remarks, the applicant respectfully requests reconsideration and allowance of claims 47-91.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kurt", followed by a long, horizontal, wavy line that extends to the right.

---

Kurt Rohlf  
Reg. No. 54,405  
Tel: 503-227-5631  
Fax: 503-228-4373